

REMARKS

Claims 1-99 are rejected. Claims 1, 8, 19, 31, 42, 54, 65, 77, and 88 are amended. No new matter is present. Reconsideration and allowance of the claims is respectfully requested in light of the following remarks.

Claims Rejections - 35 USC 103

Claims 1-16, 19-28, 31-39, 42-51, 54-62, 65-74, 77-85 and 88-97 are rejected under 35 USC 103(a) as being unpatentable over Kallio (US 2002/0147008) in view of Sawyer (US 6,603,972).

Applicant respectfully traverses the rejections. Claims 1, 8, 19, 31, 42, 54, 65, 77, and 88 are amended to clarify that the *access address identifies a handoff device and a handoff call is made to the handoff device*. Support for the amendment is found in the original application, among other places, on page 11, lines 3-10.

Contrary to the Examiner's assertions, it would not have been obvious to combine the teachings of Kallio and Sawyer. In fact, the combination or modification of the references in the manner suggested by the Examiner would change the principle of operation of Kallio.

MPEP § 2143.01 states:

If the proposed modification or combination of the prior art would change the principle of operation of the prior art invention being modified, then the teachings of the references are not sufficient to render the claims *prima facie* obvious.

Kallio teaches a network architecture for providing seamless mobility between a GSM network and a different local network (e.g., wireless LAN). A Mobile Station (MS) 150 serves as the user's interface with the GSM network 100 and the wireless LAN 200, and included a removable Subscriber Identity Module (SIM) card or chip which contains an authentication algorithm for confirming the identity of the user (customer) and information necessary to allow the user to roam in different coverage areas of different technologies, including the GSM network 100 and the wireless LAN 200. Kallio, pages 2-3, para. [0024]. Kallio's architecture uses GSM handoff procedures to make the handover between the GSM network and the wireless LAN. As the Examiner noted, Kallio does not disclose an access address and, certainly, does not make a call to a handoff device.

Sawyer, on the other hand, teaches voice communication handoff between base stations in a mobile *packet data network*. To handoff a communication session, Sawyer teaches a first and second *addressing contexts or schemes for packets* (i.e., *packet tunneling*),

which consist of embedded addressing layers designating the mobile unit, the base stations and the serving routing nodes, for routing incoming data packets to the base stations for transmission to the mobile unit. When a base station is selected for the handoff, the gateway routing node concurrently routes incoming data packets for the mobile unit to the serving routing nodes using the addressing contexts. Sawyer, col. 2, lines 31-52. Thus, no call to a handoff device is involved in Sawyer. Moreover, no mode switching between a circuit-switched network and a packet-switched network is involved in Sawyer.

Therefore, Applicants submit that the Examiner has failed to establish a *prima facie* case of obviousness. Because from the facts derived from the references, as set forth above, the suggested combination or modification would change the principle of operation of Kallio, the rejections are unsupported by the art and should be withdrawn.

Claims 17-18, 29-30, 40-41, 52-53, 63-64, 75-76, 86-87 and 98-99 are rejected under 35 USC 103(a) as being unpatentable over Kallio and Sawyer further in view of Gilhousen et al. (US 5,101,501).

Applicant respectfully traverses. For the same reasons as discussed above, claims 17-18, 29-30, 40-41, 52-53, 63-64, 75-76, 86-87 and 98-99 are allowable over the prior art.

Neither Sawyer nor Gilhousen is of any assistance here, since neither teaches whatsoever about handing off between modalities, such as between circuit-switched networks (CSV modality) and packet data networks (VoX modality). Sawyer teaches only of handoffs of voice communication sessions within a packet data network environment, while Gilhousen teaches only of controlling handoff within a code division multiple access (CDMA) cellular telephone system. Therefore, withdrawal of the rejections is respectfully requested.

Conclusion

For the foregoing reasons, reconsideration and allowance of claims 1-99 of the application as amended is solicited. The Examiner is encouraged to telephone the

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undersigned at (503) 222-3613 if it appears that an interview would be helpful in advancing the case.

Respectfully submitted,

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